

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application

Inventors: David M. Hilbert  
Jonathan J. Trevor

Appl. No.: 10/777,289

Confirm. No.: 5294

Filed: February 11, 2004

Title: SYSTEM AND METHOD FOR CUSTOMIZED  
DOCUMENT SELECTION

PATENT APPLICATION

Art Unit: 2161

Examiner: Paul Kim

Customer No. 23910

**Declaration of David M. Hilbert under 37 C.F.R. § 1.132**

I, David Hilbert, declare that:

1. I have been advised by counsel that, in an Office Action dated January 24, 2007, for the above-identified application, Claims 1-6, 8-13, 15-20, 22-35 and 38 have been rejected under 35 USC §102(e) over U.S. Publication No. 2003/0088570 by David Hilbert et al., cited as prior art.

2. I am the inventor named on both U.S. Publication No. 2003/0088570 and the above-identified application No. 10/777,289, both of which are commonly owned by Fuji Xerox Co., Ltd.

3. I understand that the basis for rejection of an application under 35 USC §102(e) is that the invention was described in an application for a patent by another with an earlier filing date than that of the above-identified application.

4. Having reviewed the rejected claims in light of my previous publication No. 2003/0088570, and with regard to full knowledge of the origin of what is disclosed in prior publication No. 2003/0088570 and claimed in the present Application No. 10/777,289, I, together with Jonathan J. Trevor, am the inventor of the subject matter of the rejected claims and I, together with Jonathan J. Trevor, have conceived and invented the subject matter disclosed in publication No. 2003/0088570 to the extent relied on in the rejections.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 5/11/07

By:   
David M. Hilbert